

LYNDON CITY COUNCIL
REGULAR MEETING MINUTES OF
June 17, 2013

The Lyndon City Council met in regular session on Monday, June 17, 2013, 7:00 p.m., at City Hall.

Members Present: Mayor Kay Jones, Bill Patterson, Brandon Smith, Chris Cole, and Doug Watson

Members Absent: Darby Kneisler

Others Present: Kimberly Newman, City Administrator
Julie Stutzman, City Clerk
Darrel Manning, Chief of Police
David Wilson, Maintenance Supervisor
Patrick Walsh, City Attorney
Neil Dayhoff, Dayhoff Underground
Justin Graham, Fire District #5
Elisabeth Gaston, Osage Herald Chronicle
Wayne White, Osage County Online.com
Harold Mayes, Agler & Gaeddert
Colleen Kirsop, HPPL
Charna Williams, HPPL
Peggy Clark, HPPL

1. CALL TO ORDER: The Mayor called the meeting to order.
2. ROLL CALL: All members were present except Kneisler.
3. ADOPTION OF MINUTES OF PREVIOUS MEETINGS: A motion was made by Smith to approve the regular meeting minutes of June 3, 2013 as amended. Cole seconded, motion carried.
4. CORRESPONDENCE TO COUNCIL:
 - Letter of Interest from residents for the Joint Recreation Commission. (new agenda item under unfinished business was added)
5. CITIZEN'S STATEMENTS AND PETITIONS: Justin Graham with Lyndon Fire District #5 inquired about a donation from the City for their annual fireworks show. In previous years, the City has donated \$1,000 plus helped advertise the event. After further discussion, a motion was made by Watson to approve a contribution of \$1,000 towards the fireworks and up to \$1,000 towards advertising. Smith seconded, motion carried.

The Mayor stated that Peggy Clark, Charna Williams and Colleen Kirsop went to the Bailey House Stewardship Award ceremony. Peggy Clark presented Mayor Kay Jones and the City with the Stewardship award.

6. UNFINISHED BUSINESS:

- BID AWARD FOR JONES PARK TRAIL: The City Administrator stated the City opened three bids for the Jones Park trail project. The bids were as follows: Dayhoff Underground \$183,505.70, Burlington Construction \$183,857.50, and Criqui Construction \$238,034.50 with Dayhoff Underground coming in as the low bid. After further discussion, a motion was made by to Patterson to award the bid of \$183,505.70 to Dayhoff Underground and not to pursue the Add Alternate. Watson seconded, motion carried. A motion was made by Cole to authorize the Mayor to sign on behalf of the City the Notice of Award. Patterson seconded, motion carried. The City Administrator stated that construction will begin in July and the drop dead date for construction is October 21st.
- REC BOARD REAPPOINTMENT: The City Administrator stated that Jayson Massey has resigned his position to the Recreation Board, however, did attend the meeting on June 17th to help appoint the joint representative. The City Administrator provided the Council with the Kansas statute regarding residency. The City Administrator stated the City can either appoint one of the two applicants or re-advertise the position. After further discussion, a motion was made by Patterson approving the Mayor's appointment of Deanna Romine to the Recreation Board. Cole seconded, motion carried, with Smith voting no.
- CEREAL MALT BEVERAGE LICENSE: A motion was made by Patterson to authorize the Mayor to sign the Cereal Malt Beverage license for the Dollar General Store. Watson seconded, motion carried.
- SENIOR HOUSING UPDATE: The City Administrator stated the senior housing project was not awarded and therefore, the City no longer has to commit funds to the project.
- SRO AND SRTS GRANTS: The City Administrator stated there is no news on these grants other than they were submitted and we are awaiting word. Safe Routes to School grant is \$200K and the COPS School Resource Officer grant is \$150K.

8. NEW BUSINESS:

- a) AUDIT PRESENTATION: Harold Mayes from Agler and Gaeddert presented the Financial Statements year ending December 31, 2012 and discussed the City's year end balances and expenses paid by the City.
- b) APPOINTMENT OF PLANNING AND ZONING COMMISSION: A motion was made by Watson to approve the Mayor's appointment of Charna Williams to the Planning and Zoning Commission. Smith seconded, motion carried.

9. STAFF REPEORTS:

- a) POLICE: Council members were given a copy of the Officer Activity for June 2013.
- b) PLANNING AND ZONING: The board met and discussed 3 chapters in zoning regulations; and there will be no July meeting.
- c) MAINTENANCE: Each Councilmember was given a copy of the Maintenance Activity report.
- d) CITY ADMINISTRATOR: The City Administrator stated the next Council meeting is July 1st and asked if the Council would like to skip to the middle of July. After further discussion, it was consensus of the Council to keep the meetings at July 1 and July 15 and have a budget meeting later in the month if needed.

The City Administrator stated that the Rec will be sponsoring the Firecracker 5K at \$300 and sponsored the Summer Movies series at \$400. Over 100 people attended last Friday's movie. The next movie is July 19th with Wreck it Ralph.

The City Administrator gave a brief overview of the 4th of July festivities.

The City Administrator stated this Saturday, June 22nd is the car show and citywide garage sale.

The swim meet is June 29th from 8 a.m. to 1 p.m.

10. COUNCIL COMMENTS:

PATTERSON: Patterson inquired about the empty space north of the Leroy's Bar and if that business was using the outdoor space. The Zoning Administrator stated he was aware the property owner was making the improvement.

SMITH: Smith inquired about the maintenance of the buildings at Jones Park. The Maintenance Supervisor stated the concessions building belongs to the City and are maintained by the City.

Smith inquired about the repair of City streets to original condition after repair. The Maintenance supervisor stated he would like the Council to revisit the fees for trenching into streets and alleys. The City Attorney stated that he has looked at the street ordinances and that it possibly needs to be redone due to several changes over the years.

COLE: None.

WATSON: Watson stated that near the batting cages, 3 rebar are sticking out of the ground, and inquired if anything was going to be built. The Maintenance Supervisor stated that at one time possibly a bench was going to be built, however, that he would cut and remove them if the Council wishes.

Watson asked if the copier had been delivered and it had.

MAYOR JONES: None.

CITY ATTORNEY: The City Attorney stated at the previous meeting there was discussion about the fall festival and sectioning off an area for a beer garden. He stated the City has a couple of ordinances on file, one being prohibiting consumption of alcohol in a public place and also an ordinance passed in 2008 which allows alcohol consumption at the Community Center only. The City Attorney stated the state statute has a permit process or the City could write it in the ordinance as an annual event. After further discussion, the City Attorney stated the ordinance should stay along the lines with state statute and will get an ordinance drafted.

10. EXECUTIVE SESSION: None.

11. ADJOURNMENT: A motion was made by Patterson to adjourn to Monday, July 1st at 7:00 p.m. Cole seconded the motion, which carried.

Julie Stutzman

City Clerk